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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/496,061	02/01/2000	Masaru Sudo	00048/LH	5663	
7590 07/12/2004			EXAMINER		
Frishauf Holtz Goodman Langer and Chick PC 25th Floor 767 Third Avenue			AN, SHAWN S		
			ART UNIT	PAPER NUMBER	
New York, NY			2613	. 2	
		,	DATE MAILED: 07/12/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

PTOL-326 (Rev. 1-04)	Office Action Summ	ary	Part of Paper No./Mail Date 8		
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review 3) Information Disclosure Statement(s) (PTO-1449 Paper No(s)/Mail Date		4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal 6) Other:			
12) Acknowledgment is made of a claim a) All b) Some * c) None of: 1. Certified copies of the priori 2. Certified copies of the priori 3. Copies of the certified copies application from the Internat * See the attached detailed Office act	: ity documents have be ity documents have be es of the priority docum tional Bureau (PCT Ru	en received. en received in Applica ents have been receiv lle 17.2(a)).	tion No red in this National Stage		
Priority under 35 U.S.C. § 119					
9) The specification is objected to by 10) The drawing(s) filed on is/a Applicant may not request that any ob Replacement drawing sheet(s) includi	re: a) accepted or be bjection to the drawing(s) ing the correction is requ	be held in abeyance. Se red if the drawing(s) is of	ee 37 CFR 1.85(a). bjected to. See 37 CFR 1.121(d).		
Application Papers		•			
6)⊠ Claim(s) <u>27-45</u> is/are rejected. 7)□ Claim(s) is/are objected to. 8)□ Claim(s) are subject to rest		requirement.			
5) Claim(s) is/are allowed.					
 4) ☐ Claim(s) 27-45 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 					
Disposition of Claims					
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
2a)⊠ This action is FINAL . 2b)□ This action is non-final.					
1)⊠ Responsive to communication(s) f	filed on <u>23 <i>April</i> 2004</u> .				
earned patent term adjustment. See 37 CFR 1.704(b) Status					
A SHORTENED STATUTORY PERIOD THE MAILING DATE OF THIS COMMU - Extensions of time may be available under the provisic after SIX (6) MONTHS from the mailing date of this co - If the period for reply specified above is less than thirty - If NO period for reply is specified above, the maximum - Failure to reply within the set or extended period for re Any reply received by the Office later than three month	INICATION. ons of 37 CFR 1.136(a). In no e mmunication. y (30) days, a reply within the sta n statutory period will apply and w ply will, by statute, cause the ap ns after the mailing date of this c	vent, however, may a reply be ti tutory minimum of thirty (30) da vill expire SIX (6) MONTHS fron plication to become ABANDONI	mely filed ys will be considered timely. n the mailing date of this communication. ED (35 U.S.C. § 133).		
Period for Reply					
The MAILING DATE of this comm	Shawn S		2613		
Office Action Summary	Examine		Art Unit		
	09/496,0	61	SUDO ET AL.		
9 3	Applicat	ion No.	Applicant(s)		



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DETAILED ACTION

Response to Amendment

1. As per Applicant's instruction in Paper 7 as filed on 4/23/04, claims 27-45 have been newly added and claims 1-26 have been canceled.

Response to Remarks

2. Applicant's arguments with respect to added claims as above have been carefully considered but are most in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 4. Claims 27, 36-37, and 40-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Noguchi (4,924,856).

Regarding claims 27, 36, 41, and 42, Noguchi discloses an endoscope image sensing apparatus/method, comprising:

an image sensing section (Fig. 5, CCD, 31A) for obtaining an image signal, and outputting the image signal;

a color separation (matrix) circuit (Fig. 8, 61B) for separating the image signal into a luminance component and a chrominance component to generate a luminance signal (Y) and a color difference signal (R-Y, B-Y);

a conversion matrix section (Fig. 8, 69) for performing a matrix computation to convert the luminance and color difference signals output from color separation circuit (61B) into three primary color signals (R,G,B);

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a switch provided to be operable by a user (Fig. 1, 49; Fig. 30, 502; col. 2, lines 3-16); and

a control section for changing and setting a coefficient corresponding to a kind of the light source lamp based on a signal from the switch (col. 3, lines 35-42).

Regarding claim 37, Noguchi discloses the switch being provided on a front panel of the apparatus so as to be hand operated by the user (col. 20, lines 26-33).

Regarding claim 40, Noguchi discloses a display section for displaying a mode set by the control section (7), wherein when a mode corresponding to the kind of the light source lamp is selected by the switch, the display section responds (col. 20, lines 26-33).

Regarding claim 43, Noguchi discloses a plurality of settings associated with the matrix computation in advance, and changing a setting of the matrix computation based on a desired setting selected from a plurality of stored settings (Fig. 10, 78-80).

Claim Rejections - 35 USC § 103

- 5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 6. Claims 28-35, 38-39, and 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noguchi (5,032,913) in view of Kikuchi et al (5,408,263).

Regarding claims 28 and 44, Noguchi discloses the color matrix section including a color adjustment section for performing color adjustment processing (Fig. 10, 80).

Noguchi does not seem to disclose a setting changes associated with conversion based on a gain coefficient set when the color adjustment processing is performed.

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However, Kikuchi et al teaches a setting changes associated with conversion based on a gain coefficient set when the color adjustment processing is performed (col. 30, lines 43-48).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing an endoscope image sensing apparatus/method as taught by Noguchi to incorporate the teachings as above as taught by Kukuchi et al for generating an optimal matrix constant corresponding to a color conversion signal, thereby efficiently converting image signals in accordance with the kind of light source lamp.

Regarding claims 30 and 38, Noguchi does not seem to disclose a storage section in which a plurality of settings associated with the matrix computation are stored in advance; and

a control section for changing the setting the coefficient by selecting one of the plurality of coefficients stored in the storage section in accordance with the kind of light source lamp which is selected by the selection switch.

However, Kikuchi et al teaches a storage section (Fig. 24) in which a plurality of settings associated with the matrix computation are stored in advance; and

a control section (Fig. 22) for changing the setting by selecting one of the plurality of settings stored in the storage section in accordance with the kind of light source lamp which is selected by the selection switch.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing an endoscope image sensing apparatus/method as taught by Noguchi to incorporate the teachings as above as taught by Kukuchi et al for generating a matrix constant corresponding to a color conversion signal, thereby efficiently converting image signals in accordance with the kind of light source lamp.

Regarding claims 29, 31, 33, and 35, Noguchi discloses an image sensing device comprising a color CCD (Fig. 5, CCD, 31A).

Regarding claim 32, Kikuchi et al discloses a setting changes associated with conversion based on a gain coefficient set when the color adjustment processing is performed (col. 30, lines 43-48).

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Regarding claims 34 and 45, Noguchi discloses white balance processing, and the color adjustment processing section comprises a white balance processing section (Fig. 10, 80).

Regarding claim 39, Kikuchi et al discloses a storage section comprising a ROM (Fig. 33, 126).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

- 8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Shawn S An** whose telephone number is 703-305-0099. The Examiner can normally be reached on Flex hours (10).
- 9. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SSA

Primary Patent Examiner

7/7/04